

**** Bill No. ****

Introduced By *****

By Request of the Department of Labor and Industry

A Bill for an Act entitled: "An Act amending license classifications for boiler engineers, and amending section 50-74-303, MCA; and amending requirements for boiler engineers licenses; and amending section 50-74-304, MCA; and providing an effective date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 50-74-303, MCA, is amended to read:

50-74-303. Engineer's license classifications. (1)

Engineers entrusted with the operation, care, and management of steam or water boilers and steam machinery, as specified in 50-74-302, are divided into ~~five~~ six classes, including first-class engineers, second-class engineers, third-class engineers, agricultural-class engineers, ~~and~~ low-pressure engineers, and limited low-pressure engineers.

" (2) Licenses for the operation of steam or water boilers and steam machinery are divided into ~~five~~ six classifications in accordance with the following schedule:

(a) First-class engineers are licensed to operate all classes, pressures, and temperatures of steam and water boilers

and steam-driven machinery with the exception of traction and hoisting engines.

(b) Second-class engineers are licensed to operate steam boilers operating not in excess of 250 pounds per square inch gauge saturated steam pressure, water boilers operating not in excess of 375 pounds per square inch gauge pressure and 450 degrees F temperature, and steam-driven machinery not to exceed 100 horsepower per unit, with the exception of traction and hoisting engines.

(c) Third-class engineers are licensed to operate steam boilers operating not in excess of 150 pounds per square inch gauge saturated steam pressure and not in excess of 150 horsepower per hour and water boilers operating not in excess of 160 pounds per square inch gauge pressure and 350 degrees F temperature.

(d) Agricultural-class engineers are licensed to operate steam boilers that operate not in excess of 150 pounds per square inch saturated steam pressure and that:

(i) are not operated for more than 6 months of the year; and

(ii) are not operated for purposes other than the harvesting or processing of agricultural products.

(e) Low-pressure engineers are licensed to operate steam boilers operating not in excess of 15 pounds per square inch

gauge pressure and water boilers operating not in excess of 50 pounds per square inch gauge pressure and 250 degrees F temperature.

(F) Limited low-pressure engineers are licensed to operate low-pressure hot water heating boilers and hot water supply boilers operating not in excess of 50 pounds per square inch gauge pressure and 250 degrees F temperature."

Section 2. Section 50-74-304, MCA, is amended to read:

"50-74-304. Requirements for engineer's license. Each applicant for an engineer's license must be physically and mentally capable of performing the required duties and must meet the following minimum requirements for the class of engineer's license for which application is being made:

(1) Except as provided in subsection (7), an applicant for a limited low-pressure engineer's license must:

(a) have at least 16 hours full-time experience in the operation of a boiler in this classification under an engineer who holds a valid limited low-pressure or higher license;

(b) is required to successfully pass a written examination prescribed by the department;

(c) and must be found competent to operate a boiler in this classification by the department.

(1)(2) Except as provided in subsection ~~(6)~~ (8), an applicant for a low-pressure engineer's license must be 18 years

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of age or older, must have at least 3 months' full-time experience in the operation of a boiler in this classification under an engineer who holds a valid low-pressure or higher license, is required to successfully pass a written examination prescribed by the department, and must be found competent to operate a boiler in this classification by the department.

~~(2)~~(3) Except as provided in subsection ~~(6)~~ (8), an applicant for an agricultural-class engineer's license must be 18 years of age or older, is required to successfully pass a written examination prescribed by the department, and must be found competent to operate a boiler in this classification by the department.

~~(3)~~(4) Except as provided in subsection ~~(6)~~ (8), an applicant for a third-class engineer's license must be 18 years of age or older, must have at least 6 months' full-time experience in the operation of a boiler in this classification under an engineer holding a valid third-class or higher license, is required to successfully pass a written examination prescribed by the department, and must be found competent to operate a boiler in this classification by the department.

~~(4)~~(5) An applicant for a second-class engineer's license ~~be 18 years of age or older and~~ must:

(a) ~~must~~ have at least 2 years' full-time experience in the operation of a boiler and steam-driven machinery in this

classification under an engineer holding a valid second-class or first-class license₇; ~~is required to~~

(b) successfully pass a written examination prescribed by the department₇; and ~~must~~

(c) be found competent to operate a boiler and steam-driven machinery in this classification by the department; or

~~(b)~~(d) ~~must~~ hold a valid third-class engineer's license₇; must have at least 1 year's full-time experience in the operation of a boiler and steam-driven machinery in this classification under an engineer holding a valid second-class or first-class license₇

(e) is required to successfully pass a written examination prescribed by the department₇

(f) and must be found competent to operate a boiler and steam-driven machinery in this classification by the department.

~~(5)~~ (6) An applicant for a first-class engineer's license must ~~be 18 years of age or older and:~~

(a) ~~must~~ have at least 3 years' full-time experience in the operation of a boiler and steam-driven machinery in this classification under an engineer holding a valid first-class license₇

(b) ~~is required to~~ successfully pass a written examination prescribed by the department₇; and

(c) ~~must~~ be found competent to operate a boiler and steam-

driven machinery in this classification by the department; or

~~(b)~~(e) ~~must~~ hold a valid second-class engineer's license₇;

(f) ~~must~~ have at least 1 year's full-time experience in the operation of a boiler and steam-driven machinery in this classification under an engineer holding a valid first-class license₇;

(g) ~~is required to~~ successfully pass a written examination prescribed by the department₇; and

(h) must be found competent to operate a boiler and steam-driven machinery in this classification by the department; or

~~(e)~~ (i) ~~must~~ hold a valid third-class engineer's license₇;

(j) ~~must~~ have at least 2 year's full-time experience in the operation of a boiler and steam-driven machinery in this classification under an engineer holding a valid first-class license₇;

(k) ~~is required to~~ successfully pass a written examination prescribed by the department₇; and

(l) must be found competent to operate a boiler and steam-driven machinery in this classification by the department.

(7) As an alternative to the requirements of subsection (1), an applicant may apply for and be issued a license for limited low-pressure if:

(a) the applicant completes a training course acceptable to the department that is specific to the class of boiler license

sought by the applicant;

(b) successfully passes a written examination administered by the department that is specific to the class of boiler license sought by the applicant; and

(c) an engineer with a license at least equal to the class of boiler license sought by the applicant informs the department in writing that the applicant has worked with the type of boiler for which a license is sought under the engineer's supervision for a minimum of 8 hours and that the applicant is competent to operate a boiler of the class for which licensure is sought by the applicant.

~~(6)~~(8) As an alternative to the requirements of subsections ~~(1)~~(2) through ~~(3)~~(4), an applicant ~~who is 18 years of age or older~~ may apply for and be issued a license for any of the three classes of licenses provided for in subsections ~~(1)~~ (2) through ~~(3)~~ (4) if the applicant:

(a) ~~the applicant~~ completes a training course acceptable to the department that is specific to the class of boiler license sought by the applicant; and

(b) successfully passes a written examination administered by the department that is specific to the class of boiler license sought by the applicant; and

~~(b)~~(c) an engineer with a license at least equal to the class of boiler license sought by the applicant informs the

department in writing that the applicant has worked with the type of boiler for which a license is sought under the engineer's supervision for a minimum of 40 hours and that the applicant is competent to operate a boiler of the class for which licensure is sought by the applicant."

NEW SECTION. **Section 3. {Standard} Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 4. {Standard} Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 5. {Standard} Effective date.** [This act] is effective October 1, 2007; amending sections 50-74-303, and 50-74-304,MCA.

{Internal references to 50-74-304:

50-74-305x 50-74-305x }

{Internal references to 50-74-303:

50-74-306x }

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